

**FINAL COPY
TORRANCE COUNTY BOARD OF COMMISSIONERS
COMMISSION MEETING
SEPTEMBER 23, 2020**

COMMISSIONERS PRESENT: RYAN SCHWEBACH –CHAIRMAN
KEVIN MCCALL- DISTRICT 1
JAVIER SANCHEZ –DISTRICT 3

OTHERS PRESENT: JANICE BARELA- COUNTY MANAGER
JOHN BUTRICK-COUNTY ATTORNEY
LORI ARCHULETA-EXECUTIVE ADMIN. ASST.
SYLVIA CHAVEZ-ADMIN. ASST.

1.) CALL MEETING TO ORDER

Chairman Schwebach calls the April 8, 2020 Commission Meeting to order at 9:00 A.M.

2.) INVOCATION AND PLEDGE

Pledge and Invocation led by Chairman Schwebach

3.) CHANGES TO THE AGENDA

No Changes were made

4.) PROCLAMATIONS

There were no items presented

5.) CERTIFICATES AND AWARDS

There were no items presented

6.) BOARD AND COMMITTEE APPOINTMENTS

There were no items presented

7.) PUBLIC COMMENT and COMMUNICATIONS

There was no public comment

8.) APPROVAL OF MINUTES

A.) COMMISSION: Motion to approve the September 9, 2020 Torrance County Board of County Commission Regular Minutes.

ACTION TAKEN: Chairman Schwebach makes a motion to approve the September 9, 2020 Regular Commission Meeting minutes. Commissioner McCall seconds the motion. No further discussion, all in favor. **MOTION CARRIED**

Madam County Manager Barela states that the September 10 Special Commission Meeting Minutes were not put on the agenda for approval so they will be on the next agenda for approval.

9.) APPROVAL OF THE CONSENT AGENDA

A.) Finance: Approval of Payables

ACTION TAKEN: Chairman Schwebach makes a motion to approve the payables. Commissioner McCall seconds the motion. No further discussion, all in favor. **MOTION CARRIED.**

B.) PLANNING & ZONING: Motion to Approve Planning & Zoning Recommendation for Special Use Request Pattern Energy Group.

ACTION TAKEN: Chairman Schwebach makes a motion to Approve Planning & Zoning recommendation for Special Use request for Pattern Energy Group. Commissioner McCall seconds the motion.

Commissioner McCall asks for clarification purposes, that it was a do pass from the Planning & Zoning board.

Steve Guetschow, replies, yes it was.

No further discussion, all in favor. **MOTION CARRIED**

10.) ADOPTION OF ORDINANCE/AMENDMENT TO COUNTY CODE

There were none presented

11.) ADOPTION OF RESOLUTION

A.) ROAD: Motion to Approve FY2020/2021 State CO-OP Agreement/Contracts CAP Project, Resolution No. 2020-37

ACTION TAKEN: Chairman Schwebach makes a motion to approve Resolution 2020-37 State CO-OP CAP Projects. Commissioner McCall seconds the motion.

Madam County Manager Barela gives the Commission a brief overview of the CAP projects, 4.6 miles on Ewing Rd and 2.0 miles on Indian Hills Rd. The breakdown of the match is 25% to the County and 75% is from NMDOT.

Commissioner McCall asks for comparison from last years amount, is this lower or higher than what the County got last year.

Charmen Padilla replies, that it is a decrease from last year's funding.

Commissioner McCall asks if this has been put into the road department's budget.

Ms. Padilla responds yes; it has been budgeted.

Resolution hereto attached. No further discussion, all in favor, **MOTION CARRIED.**

B.) ROAD: Motion to Approve FY2020/2021 State CO-OP Agreements/Contracts SB Project, Resolution No. 2020-38

ACTION TAKEN: Chairman Schwebach makes a motion to approve Resolution 2020-38 State CO-OP SB Projects. Commissioner McCall seconds the motion.

Madam County Manger Barela goes over the roads that will be covered under the SB projects, 2.4 miles on Cedar Ln and 1.3 miles on Paradise Meadows Loop, same break down as the project before.

Resolution hereto attached. No further discussion, **MOTION CARRIED.**

C.) ROAD: Motion to Approve FY2020/2021 State CO-OP Agreements/Contracts SP Project, Resolution 2020-39

ACTION TAKEN: Chairman Schwebach makes a motion to approve Resolution 2020-39 State CO-OP SP Projects. Commissioner McCall seconds the motion.

Commissioner McCall asks what kind of condition this road is in, the amount seems to be a bit high for a mile of road.

Ms. Padilla states that Willow Lake W is in bad condition and does need that much repair.

Commissioner McCall asks if this road will be chip sealed.

Madam County Manger Barela explains that this road will also need 20 culverts put in and that is part of the cost.

Chairman Schwebach states to Ms. Padilla that he would be interested in a report that goes over the maintenance of the chip sealed roads in the County. The roads that are being chip sealed should be maintained for the amount of money it costs to get them done.

Resolution hereto attached. All in favor, **MOTION CARRIED.**

D.) GRANTS: Motion to Approve the Execution and Delivery of a Local Planning Grant Agreement between the NM Finance Authority and Torrance County, Resolution 2020-40

ACTION TAKEN: Chairman Schwebach makes a motion to approve Resolution 2020-40 Execution and Delivery of Local Planning Grant Agreement between NM Finance Authority and Torrance County. Commissioner McCall seconds the motion.

Cheryl Allen, Grant Manager explains that this is for the authorization of the \$50,000.00 for the grant funding for the Southern Economic Development Plan.

Commissioner Sanchez states that he is a bit confused on the process, the plan has already been completed.

Ms. Allen states this it does seem backwards but that is how the state completes the process.

Resolution hereto attached. All in favor, **MOTION CARRIED.**

E.) FINANCE: Motion to Approve Disposition of Vehicles, Resolution 2020-41

ACTION TAKEN: Chairman Schwebach makes a motion to approve Resolution 2020-41 Disposition of Vehicles. Commissioner McCall seconds the motion

Jeremy Oliver, Finance Director explains that 2 more vehicles have been added to the list and they are working on the advertising to set up the timeline of when this will be done. Mr. Oliver informs the Commission that there will be 7 cars in total.

Resolution hereto attached. All in favor, **MOTION CARRIED.**

12.) APPROVALS

A.) ROAD/PROCUREMENT: Motion to Authorize County Manager to Execute Professional Services Agreement for Architectural Services for the Torrance County Road Shop

Noah Sedillo, Chief Procurement Officer comes before the Commission to ask latitude for the County Manager to have the authority to execute the professional service agreement for the architectural agreement for the road department shop on Salt Mission Trl. Mr. Sedillo mentions that he and County Attorney Butrick have gone over the agreement and strengthen the wording in favor of the County. The document is 90% ready but at this point to get the ball rolling and

start using our funding source, the architectural portion is ready, and the process can be started. The price for the architectural design is \$27,221.25

County Attorney Butrick reiterates what Mr. Sedillo stated, which is they improved the wording to benefit the County and also getting clarification on terminology in regard to the architectural terms.

Madam County Manager Barela explains to the Commission what exactly they will be approving today. The approval will be to authorize the County Manager to execute the agreement for the architectural design. She would like to make sure the motion is very clear on what is being approved.

Chairman Schwebach asks if this is a common practice for the architectural design to be approved separate.

Mr. Sedillo explains that this is a first for him, but there have been contacts with this gentleman in the past with the County and they were in the same fashion. Mr. Sedillo feels comfortable moving forward with this agreement.

Madam County Manager Barela informs the Commission that this agreement can be as detailed as the Commission wants it to be and the fee amount can be done as a time cost or it can be phased out.

Commissioner McCall states that the capital outlay funding should be maximized and used towards what needs to get this project going. The County bought the property for this purpose and we have the funding and he would like to see this project move forward.

County Attorney Butrick explains to the Commission that the fee for this agreement does not include the cost for the actual design. The actual design belongs to the architect, its proprietor and that is an industry standard.

Mr. Sedillo states that if the County wanted to use that design again the County would have to ask for permission from the architect.

Documentation hereto attached. **ACTION TAKEN: Chairman Schwebach** makes a motion to authorize County Manager to Execute a Professional Services Agreement with J. Kory Baker for Architectural Services for the Torrance County Road Shop **Commissioner McCall** seconds the motion. No further discussion, all in favor. **MOTION CARRIED.**

B.) FINANCE: Motion to Authorize County Manager to Execute Contract Regarding Tyler Software

ACTION TAKEN: Chairman Schwebach makes a motion to Authorize County Manager to Execute Contract regarding Tyler Software. **Commissioner McCall** seconds the motion.

Jeremy Oliver, Finance Director states that he has distributed information to the Commission and asks if they have any more questions in regard to Tyler Software.

Chairman Schwebach states that he has looked over the numbers that were presented and the initial one capital expenses is roughly about \$250,000.00 to start it up.

Mr. Oliver states that it's a onetime capital expense of \$273,000.00 for the implementation and first year cost of \$148,697.00 and at that point we must keep our current software while the new one is being built and implemented. The contract will have travel expenses included and is being reviewed by County Attorney Butrick. The first-year cost with everything included will be \$446,937.00.

Commissioner McCall asks where Tyler is based out of.

Mr. Oliver replies that they are located through the states, Utah, Colorado, Michigan, Texas and Maine. There are 16 Counties in the NM that use this software.

County Attorney Butrick mentions that a portion of what Tyler offers for the Attorney side, helps streamline the way attorney's file documents. County Attorney Butrick explains that he has personally used the software and anytime he had issues, they were very responsive to emails or calls and did resolve the issue(s).

Commissioner McCall asks Mr. Oliver if anyone has reached out to the other Counties to get their feedback on the software.

Mr. Oliver replies that he has spoke with Grant County and the Town of Mountainair and they both like it.

No further discussion, all in favor, **MOTION CARRIED**

C.) COMMISSION: Motion to Approve Contract for Janice Y. Barela as Torrance County Manager

ACTION TAKEN: **Chairman Schwebach** makes a motion to approve the Contract for Janice Y. Barela as Torrance County Manager. **Commissioner McCall** seconds the motion. No further discussion, all in favor, **MOTION CARRIED.**

A round of applause was given for Madam County Manager Barela.!! Congratulations Janice

Madam County Manager Barela thanks the Commission and appreciates the confidence that they have placed with her. She is looking forward to working with the Commission and department heads as well as all other staff members. She is looking forward to working for Torrance County and County constituents. She is honored to be in this position.

Chairman Schwebach states that he has watched Ms. Barela as Deputy County Manager and she has a great learning curve and will be an asset to the County.

Commissioner McCall states that Ms. Barela will be a great addition to the team that has been started.

Commissioner Sanchez states that he feels the same way, Ms. Barela will be a great asset and will be very well served for the County.

Contract hereto attached.

13. DISCUSSION

A.) MANAGER: EMWT update, Bobby Ortiz

Chairman Schwebach states that the update will be done at the next Commission meeting.

14.) EXECUTIVE SESSION

Chairman Schwebach asks Madam County Manager Barela if there is a need to go into Executive Session.

Madam County Manager Barela responds that she can get the information regarding item B to each of the Commissioners individually. So, there is no need to have executive today.

A.) MANAGER: Purchase of Real Property for Emergency Management, Closed pursuant to NMSA 10-15-1 (H)(8)

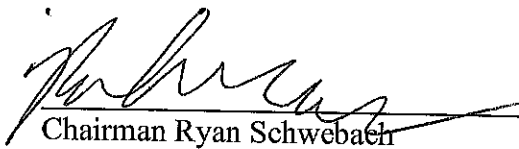
B.) MANAGER: Purchase of the County Fairgrounds, Closed pursuant to Section 10-15-1 (H)(8)

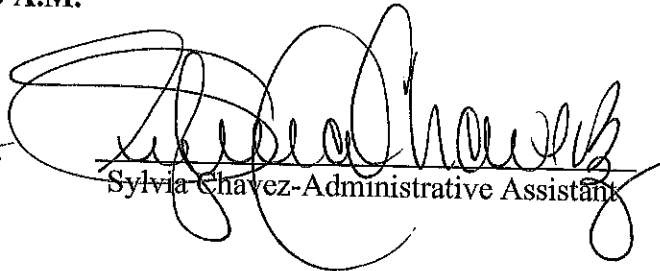
15.) Announcement of next Board of County Commissioners Meeting
October 14, 2020 at 9:00 AM in the Commission Chambers

16.) Signing of Official Documents

***ADJOURN**

ACTION TAKEN: Chairman Schwebach makes a motion to adjourn the September 23, 2020, Commission Meeting Commissioner McCall. seconds the motion. No further discussion, all in favor. **MOTION CARRIED**
MEETING ADJOURNED AT 9:33 A.M.


Chairman Ryan Schwebach


Sylvia Chavez-Administrative Assistant

10/14/2020
Date

The video of this meeting can be viewed in its entirety on the Torrance County NM website, Audio discs of this meeting can be purchased in the Torrance County Clerk's office and the audio of this meeting will be aired on our local radio station KXNM.